

AMENDED IN ASSEMBLY APRIL 26, 2010

AMENDED IN ASSEMBLY APRIL 8, 2010

CALIFORNIA LEGISLATURE—2009–10 REGULAR SESSION

ASSEMBLY BILL

No. 2620

Introduced by Assembly Member Eng

February 19, 2010

An act to add Section 149.05 to the Streets and Highways Code, relating to transportation.

LEGISLATIVE COUNSEL'S DIGEST

AB 2620, as amended, Eng. Transportation: toll facilities.

Existing law provides that the Department of Transportation shall have full possession and control of the state highway system and associated property. Existing law provides for the development of high-occupancy toll lanes on the state highway system by regional transportation agencies under specified circumstances and specifies the use of toll revenues generated from these facilities.

This bill would require an unspecified percentage of net toll revenues generated by ~~a toll facility~~ *certain toll facilities* on the state highway system *developed on and after January 1, 2011*, to be dedicated to maintenance, preservation, and rehabilitation of the state highway system, including funding of projects in the state highway operation and protection program. The bill would also make legislative findings and declarations in that regard.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

SECTION 1. The Legislature finds and declares all of the following:

(a) The level of funding available for maintenance, preservation, and rehabilitation of the state highway system is straining the ability to meet ~~rehabilitation~~ *rehabilitation* and preservation needs of the system.

(b) Rehabilitation and reconstruction needs on the state highway system are increasing as the infrastructure ages.

(c) The continued increase in vehicle travel and goods movement contributes to an increased rate of pavement and bridge deterioration, new accident concentration locations, and increasing hours of traffic congestion.

(d) Continued underfunding of maintenance, preservation, and rehabilitation needs delays projects and increases the cost when the work is eventually undertaken.

(e) Transportation agencies are increasingly interested in developing tolled facilities on the state highway system, a state-owned asset.

(f) At least a portion of the proceeds from tolled facilities should be directed to maintenance, preservation, and rehabilitation of the state highway system, which serves as a backbone to those facilities.

SEC. 2. Section 149.05 is added to the Streets and Highways Code, to read:

149.05. Notwithstanding any other provision of law, ____ percent of net toll revenues generated by a toll facility on the state highway system shall be dedicated to maintenance, preservation, and rehabilitation of the state highway system, including funding of projects in the state highway operation and protection program. This section shall ~~only~~ apply to toll facilities developed on and after January 1, 2011, that are the subject of a cooperative agreement between the department and another public agency entered into on and after that date, *but shall not apply to toll facilities developed pursuant to Sections 149.1, 149.3, 149.4, 149.5, 149.6, 149.8, or 149.9.* The cooperative agreement between the department and the other public agency shall provide for the payment of these revenues to the department for deposit in the State Highway Account. Those revenues shall be subject to

1 appropriation by the Legislature for purposes consistent with this
2 section.

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